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EXAMINER	
YACOB, SISAY	

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2612	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/779,429	BOAZ, JON A.	
	Examiner	Art Unit	
	Sisay Yacob	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 8-42* is/are pending in the application.

4a) Of the above claim(s) *6 and 7* is/are withdrawn from consideration.

5)☒ Claim(s) *1-5 and 8-25* is/are allowed.

6)☒ Claim(s) *26-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1 This communication is in response to applicant's RCE, which was filed September 04, 2007.

2 Amendments and arguments to pending rejected claims 1-42 have been entered and made of record in the application of Boaz for "Automated meter reading system, communication and control network for automated meter reading, meter data collector, and associated method" filed on February 13, 2004.

Claims 1-2, 4-5, 8-12, 14-19, 21, 23-24, 26, 28-29, 31-32, 34-35, 37 and 42 are amended.

Claims 3, 13 and 33 are as previously presented.

Claims 20, 22, 25, 27, 30, 36 and 38-41 are as originally filed.

Claims 6-7 are canceled.

Claims 1-5 and 8-42 are pending.

Response to Arguments

3 Applicant's amendments and arguments with respect to rejected claims 1-5 and 8-42 have been fully considered.

4 Applicant's arguments with respect to pending rejected independent claims 1, 11, 21 and pending rejected dependent claims 2-4, 8-10, 12-20 and 22-25 have been fully considered and are persuasive.

5 Applicant's arguments with respect to pending rejected independent claims 26, 31, 33, 35, 37 and pending rejected dependent claims 27-30, 32, 34, 36 and 38-42 have been fully considered, but are not persuasive in view of the rejection cited below in their respective rejection section. The prior arts presented in the earlier office action have been used herein with further explanation, in account of the argument presented by the applicant, to further address applicant concern and to clearly show how the limitation of the claims are met by the same. Furthermore, new grounds of rejections are necessitated by applicant's amendments.

6 On Pages 26-33 and all subsequent applicant's argument with respect to the applicant's argument with respect to No Prima Facie Case of Obviousness, No Motivation to Combine Reference Teachings and No Reasonable Expectation of Success.

7 All the references are directed to solving similar problems in the same environment, which are system and method for communication and control networks for automated utility meter reading as set forth in claims 26-42 of the instant application.

8 On Pages 33-47 and all subsequent applicant's argument with respect to the applicant's argument with respect to the combined prior arts on record, as they are applied to reject independent claims 26, 31, 33, 35 and 37 and dependent claims 27-30, 32, 34, 36 and 38-42 failing to disclose, teach or suggest the limitation are addressed in paragraphs below.

9 As it was cited in the previous office action dated on June 01, 2007: Belski et al. discloses a method of collecting utility meter usage data (Col. 4, lines 52-64), the method comprising sensing meter usage data from each of a plurality of utility meters positioned remote from each other (Col. 5, lines 2-31; Figure 3), collecting utility usage data by each of a plurality of meter data collectors positioned adjacent each of the plurality of utility meters (Col. 5, lines 2-31), determining a polling sequence of communication signal between a remote host computer and each of the plurality of meter data collectors (Col. 5, lines 32-41), polling each of the plurality of meter data collectors with the polling sequence by the host computer positioned remote from the plurality of meter data collectors (Col. 12, lines 36-67), and transmitting meter usage data to the host computer from each of the plurality of meter data collectors in responsive to the polling signal by the host computer (Col. 13, line 1 - Col. 14, line 45).

10 Partyka discloses a host computer (Central Monitoring Facility) positioned remote from the plurality of meter data collectors at a utility central station that is in communication with each of the plurality of meter data collectors in the

communication network, each one of the plurality of meter data collectors are adapted to communicate with each other. Furthermore, Partyka discloses system and method to determine a preferred communication sequence path based on signal strength to reduce line-of-site between the plurality of utility meter data collectors and the host computer, wherein the communication could be initiated either by the utility meter data collectors or by the remote host computer (Col. 3, lines 8-26; Col. 5, lines 17-40; Col. 9, line 59 – Col. 10, line 5; Figures 2a-c and 3).

Rejections - 35 USC § 103

11 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12 The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

13 Claims 26-28, 31-32 and 37-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent of Belski et al. (6,657,552 B2) in view of U.S. Patent of Partyka (6,731,223 B1).

14 As to claim 26, Belski et al. discloses a method of collecting utility meter usage data (Col. 4, lines 52-64), the method comprising sensing utility usage data from each of a plurality of utility meters positioned remote from each other (Col. 5, lines 2-31; Figure 3), collecting utility usage data by each of a plurality of meter data collectors positioned adjacent each of the plurality of utility meters (Col. 5, lines 2-31), a preferred polling sequence of communication signal between the remote computer and each of the plurality of meter data collectors (Col. 5, lines 32-41), polling each of the plurality of meter data collectors with the polling sequence (Col. 12, lines 36-67), and transmitting utility usage data to the remote host computer from each of the plurality of meter data collectors in responsive to the polling signal by the host computer (Col. 13, line 1 - Col. 14, line 45).

However, Belski et al. does not expressly disclose the polling by the remote host computer and the transmission by the meter data collectors being along the same preferred polling sequence route that is responsive to the strength of communication signal.

Partyka discloses a remote host computer (Central Monitoring Facility) positioned remote from the plurality of meter data collectors at a utility central station that is in communication with each of the plurality of meter data collectors

in the communication network, each one of the plurality of meter data collectors are adapted to communicate with each other, and positioned to determine a respective preferred communication sequence path to and from the host computer for each respective polled meter data collector to thereby reduce line-of-site communication problems between each of the plurality of meter data collectors and the host computer (Col. 3, lines 8-26; Col. 5, lines 17-40; Col. 9, line 59 – Col. 10, line 5; Figures 2a-c and 3).

It would have been obvious to one ordinary skill in the art to at the time of the invention to modify the method of Belski et al. by incorporating the plurality of meter data collectors being adapted to be in communication with each other and the remote host computer, as disclose by Partyka, in order to have sensing utility usage data from each of a plurality of utility meters positioned remote from each other, collecting utility usage data by each of a plurality of meter data collectors positioned adjacent each of the plurality of utility meters, determining by a remote host computer a preferred polling sequence of communication signal between the remote computer and each of the plurality of meter data collectors, polling each of the plurality of meter data collectors by the remote host computer with the polling sequence, and transmitting utility usage data to the remote host computer from each of the plurality of meter data collectors in responsive to the polling signal by the host computer, because Partyka discloses a method for utility meter reading, where the plurality of meter data collectors receive the command and transmit the meter usage data to the host computer either directly or through other meter data collectors, wherein the communication/polling is

initiated by the remote host computer (Col. 5, line 26-31; Item 160), and the signal is routed based on the signal strength and reduced line-of-site between the meter data collectors (telemetry system 100) and the remote host computer and Belski et al. discloses the master station that control and management of the system (Col. 6, lines 36-45). Furthermore, it is well known and widely used to have a preferred routing sequence based on signal strength to reduce line of sight in the field of communication.

15 As to claim 27, Partyka discloses the steps of polling and determining are periodically performed to update the preferred polling sequence route over time (Col. 9, lines 4-27).

16 As to claim 28, Partyka discloses the plurality of meter data collectors include a first meter data collector, a second meter data collector in communication with the first meter data collector, and a third meter data collector in communication with at least one of the first and second meter data collectors, wherein the first meter data collector is positioned remote from the host computer to thereby have a greater signal strength than the second meter data collector and the third meter data collector, wherein the second meter data collector is positioned remote from host computer to thereby have a greater signal strength than the third meter data collector, and the method further comprising rakingly collecting data from each of the second and third meter data collectors responsive to the polling of the first meter data collector so that utility usage data

is collected from each of the first, second, and third meter data collectors responsive to polling the first meter data collector and routing the rankingly collected utility usage data to the host computer (Col. 5, line 55 - Col. 10, line 5; Figures 2a-c and 3).

17 As to claim 31, Belski et al. discloses a method of monitoring a utility meter mounted to a building, the method comprising mounting a meter data collector defining a remote collection unit adjacent a utility meter mounted to a building, collecting meter data from the utility meter by the remote collection unit, transmitting the utility usage data to a router of a communication network service provider, transmitting the utility data through a communication network associated with the communication network service provider in the data packet payload, and receiving the utility usage data from the communication network by the computer device (Col. 5, line 10 – Col. 6, line 45; Figure 3).

However, Belski et al. does not expressly disclose a communication being along a predetermined multi-hop communication, sequence path responsive to a request by a requesting computer device provided in a data packet, the data packet including routing data to route the utility usage, and data along a specific route provided by the requesting computer device.

Partyka discloses a remote host computer (Central Monitoring Facility) remote from the plurality of meter data collectors that is in communication with each of the plurality of meter data collectors in the communication network, and a predetermined multi-hop communication, sequence path responsive to a request

by a requesting meter data collector or computer device provided in a data packet, the data packet including routing data to route the utility usage, and data along a specific route provided by the requesting meter data collector or computer (Col. 3, lines 8-26; Col. 5, lines 17-40; Col. 9, line 59 – Col. 10, line 5; Figures 2a-c and 3).

It would have been obvious to one ordinary skill in the art to at the time of the invention to modify the method of Belski et al. by incorporating the sequence path responsive to a request by a requesting meter data collector or computer device provided in a data packet, as disclose by Partyka, in order to have a method of monitoring a utility meter, because Partyka discloses a method for utility meter reading, where a communication being along a predetermined multi-hop communication, sequence path responsive to a request by a requesting computer device provided in a data packet, the data packet including routing data to route the utility usage, and data along a specific route provided by the requesting computer device, wherein the communication/polling maybe initiated by the meter data collectors or remote host computer (Col. 5, line 26-31; Item 160), and the signal is routed based on the signal strength and reduced line-of-site between the meter data collectors (telemetry system 100) and the remote host computer and Belski et al. discloses the master station that control and management of the system (Col. 6, lines 36-45). Furthermore, it is well known and widely used to have a preferred routing sequence based on signal strength to reduce line of sight in the field of communication.

18 As to claim 32, the combination of Belski et al. and Partyka disclose wherein the remote collection unit comprises a first remote collection unit, the utility meter comprises a first utility meter, and the building comprises a first building, the method further comprising mounting a second remote collection unit adjacent a second utility meter mounted to a second building, collecting utility usage data from the second utility meter by the second remote collection unit, and transmitting the utility usage data from the second utility meter by the second remote collection unit, to the first remote collection unit, and wherein the meter data transmitted to the router comprises utility usage data consolidated from both the first and second remote collection units (Col. 5, lines 11-31; Figure 3 of Belski et al. **and** Col. 3, lines 8-26; Col. 5, lines 17-40; Col. 9, line 59 – Col. 10, line 5; Figures 2a-c and 3 of Partyka).

19 As to claim 37, Belski et al. discloses a method of collecting utility meter data, the method comprising positioning a plurality of meter data collectors defining a plurality of remote collection units adjacent to respective one of a plurality of utility meters, each of the plurality of utility meters being mounted to a different building, polling each of the plurality of remote collection units along a preferred polling sequence route from a collection computer positioned remote from the plurality of remote collection units, and transmitting meter data from each of the plurality of remote collection units to the collection computer (Col. 4, line 52- Col. 7, lines 1-30). (Col. 4, line 52- Col. 7, lines 1-30).

However, Belski et al. does not expressly disclose each of the plurality of remote collection units in communication with at least two other of the plurality of remote control units, and along a same preferred polling sequence route provided in a message packet by the host computer responsive to the polling.

Partyka discloses a method comprising transmitting utility meter data, each of the plurality of remote collection units in communication with at least two other of the plurality of remote control units, and along a same preferred polling sequence route provided in a message packet by the host computer responsive to the polling (Col. 3, lines 8-26; Col. 5, lines 17-40; Col. 7, line 18 - Col. 8, line 29; Col. 9, line 59 – Col. 10, line 5; Figures 2a-c and 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Belski et al. by incorporating the method for transmitting utility meter data, as disclosed by Partyka, in order to have the method comprising positioning a plurality of meter data collectors each of the plurality of remote collection units in communication with at least two other of the plurality of remote control units, polling each of the plurality of remote collection units along a preferred polling sequence route from a collection computer positioned remote from the plurality of remote collection units, and transmitting meter data from each of the plurality of remote collection units to the collection computer along a same preferred polling sequence route provided in a message packet by the host computer responsive to the polling, because Partyka discloses a method for utility meter reading, where a communication being along a predetermined sequence path responsive to a request by a requesting

computer device provided in a data packet, the data packet including routing data to route the utility usage, and data along a specific route provided by the requesting computer device, wherein the communication/polling maybe initiated by the meter data collectors or remote host computer (Col. 5, line 26-31; Item 160), and the signal is routed based on the signal strength and reduced line-of-site between the meter data collectors (telemetry system 100) and the remote host computer and Belski et al. discloses the master station that control and management of the system (Col. 6, lines 36-45). Furthermore, it is well known and widely used to have a preferred routing sequence based on signal strength to reduce line of sight in the field of communication.

20 As to claims 38-40, Partyka discloses the collection computer comprises a field collection unit (Item 230), the collection computer comprises a host computer (Item 160), and a host computer positioned remote from and in communication with the field collection unit (Figure 2b).

21 As to claim 41, Partyka discloses transmitting the utility meter data from the field collection unit (Item 230) to a router of a communication network service provider (Items 240 and 150), communicating the utility meter data through a communication network associated with the communication network service provider, and receiving the utility meter data by a host computer (Item 160) in communication with the communication network (Col. 6, lines 7-61).

22 As to claim 42, Partyka discloses a first remote collection unit of the plurality of remote collection units transmits utility meter data to a second remote collection unit of the plurality of remote collection units, wherein the second remote collection unit transmits the utility meter data of the first and second remote collection units in a single data packet payload to a third remote collection unit of the plurality of remote collection units, and wherein the third remote collection unit transmits utility meter data of the first, second, and third remote collection unit in the single data packet payload to the field collection unit (Col. 3, lines 8-26; Col. 8, lines 12-29; Figure 3).

23 Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent of Belski et al. (6,657,552 B2) in view of US Patent of Partyka (6,731,223 B1) and further in view of US Patent of Sollinger (3,806, 875).

24 As to claim 33, Belski et al. discloses a method of collecting utility meter data from a plurality meters each mounted to a different building and each in communication with a respective one of a plurality of meter data collectors defining a plurality of remote collection units (Col. 4, lines 52-64; Col. 5, lines 11-47; See Items E, G and W, Residential part of figure 3), the method comprising transmitting utility meter data from a first remote collection unit of the plurality of utility of remote collection units, and transmitting the utility meter data of the first remote collection unit and the utility meter data of the second remote collection

unit from the second remote collection unit to a host computer (Col. 5, lines 65-67; Col. 6, lines 1-67; Col. 7, lines 1-30).

However, Belski et al. does not expressly disclose the method comprising consolidating the utility meter data of the first remote collection unit with the utility meter data of the second remote collection unit into a same data payload, transmitting utility meter data from a first remote collection unit of the plurality of utility of remote collection units to a second remote collection unit of the plurality of collection units before being transmitted to the host computer.

Partyka discloses a method comprising transmitting utility meter data from a first remote collection unit of the plurality of utility of remote collection units to a second remote collection unit of the plurality of collection units and transmitting utility meter data of the first remote collection unit and utility meter data of the second remote collection unit from the second remote collection unit to a host computer (Col. 3, lines 8-26; Col. 5, lines 17-40; Col. 7, line 18 - Col. 8, line 29; Col. 9, line 59 – Col. 10, line 5; Figures 2a-c and 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Belski et al. by incorporating the method for transmitting utility meter data from a first to a second remote collection unit, as disclosed by Partyka, in order to have a method of collecting utility meter data from a plurality of utility meters each mounted to a different building and each in communication with a respective one of a plurality of meter data collectors defining a plurality of remote collection units, the method comprising transmitting utility meter data from a first remote collection unit of the plurality of utility of

remote collection units to a second remote collection unit of the plurality of collection units, and transmitting utility meter data of the first remote collection unit and utility meter data of the second remote collection unit from the second remote collection unit to a host computer, because Partyka discloses a meter reading network method, where the plurality of meter data collectors receive the command and transmit the meter usage data to the host computer either directly or through other meter data collectors, so that the data reaches the intended target.

However, the combination of Belski et al. and Partyka does not expressly disclose the method comprising consolidating the utility meter data of the first remote collection unit with the utility meter data of the second remote collection unit into a same data payload.

Sollinger discloses a method comprising transmitting utility meter data, wherein different utility meter data are collected, consolidated and transmitted to a host computer (Col. 2, line 8- Col.4, line 10; Items 1, 2, 5 and 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Belski et al. and Partyka by incorporating the method for transmitting utility meter data from a first to a second remote collection unit, as disclosed by Partyka, in order to have a method of collecting utility meter data from a plurality of utility meters, consolidating the utility meter data of the first remote collection unit with the utility meter data of the second remote collection unit into a same data payload, and transmitting utility meter data of the first remote collection unit and utility meter data of the second

remote collection unit from the second remote collection unit to a host computer, because Partyka discloses a meter reading network method, where the plurality of meter data collectors receive the command and transmit the meter usage data to the host computer either directly or through other meter data collectors, so that the data reaches the intended target and one skilled in the art would recognize consolidating the utility meter data into a same data payload, minimizes power consumption by second remote collection unit or any subsequent remote collection unit by minimizing the number of transmission required to route the data to the host computer. Furthermore, it is conventional in the communication art to consolidate a number of data into a same payload for transmitting to the intended receiver in order to have time saving and cost effective transmission methods.

26 As to claim 34, Partyka discloses the method further comprising transmitting meter data from a third remote collection unit to the first remote collection unit and wherein the utility meter data of the first remote collection unit includes utility meter data from the third remote collection unit (Col. 5, line 55-Col. 6, line6; Figure2a-3).

27 Claims 29-30 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent of Belski et al., (6,657,552 B2) in view of U.S. Patent of Partyka (6,731,223 B1) and further in view of U.S. Publication of Winter (20020145568 A1).

28 As to claim 29, Belski et al. discloses at least one of the plurality of meter data collector is positioned within the same housing as at least one of the plurality of utility meters the meter data collector positioned within the housing to transmit (Col. 4, lines 52-64).

However, the combination of Belski et al. and Partyka does not expressly disclose the housing having glass facing on at least one side thereof, and transmit through the glass.

Winter discloses meter data collector with housing having glass (Item 22) facing on at least one side thereof, and transmit through the glass (Page 2, Par. 0037 and 0038; Figures 1-4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Belski et al. and Partyka by incorporating the meter data collector with housing having glass, as disclosed by Winter, in order to have a method for at least one of the plurality of meter data collector is positioned within the same housing as at least one of the plurality of utility meters, the housing having glass facing on at least one side thereof, the meter data collector positioned within the housing to transmit through the glass, because Belski et al. discloses the meter data collector that collects and to transmits the collected utility meter data maybe positioned within housing, adjacent to the housing or stand alone and Winter discloses meter data collector with housing having glass facing on at least one side thereof, and transmit

through the glass. Furthermore, it is conventional in the art to have the data collector within the glass housing in order to transmit through the glass.

29 As to claim 30, Belski et al. discloses the host computer includes a memory having a meter data collector database associated therewith to thereby store meter collector data associated with each of the plurality of meter data collectors, the meter collector data including collector identification, collector physical address, and strength of signal between meter data collectors (Col. 6, lines 36-45).

30 As to claim 35, Belski et al., discloses a method of collecting utility meter data, the method comprising positioning a meter data collector defining a remote collection unit having bi-directional radio frequency data communication within a housing, collecting utility meter data by the remote collection unit positioned within the housing (Col. 4, lines 52-64), polling the remote collection unit from a host computer by radiofrequency data communication, the polling including sending a message packet, and transmitting the collected utility meter data from the remote collection unit to the host computer along the preferred (Col. 4, line 52- Col. 7, lines 1-30).

However, Belski et al. does not expressly disclose the message packet including a preferred polling sequence route, and transmitting the collected utility meter data along the preferred sequence route provided in the message packet by the host computer responsive to the polling.

Partyka discloses a method comprising transmitting utility meter data, the message packet including a preferred polling sequence route along the preferred sequence route provided in the message packet by the host computer responsive to the polling (Col. 3, lines 8-26; Col. 5, lines 17-40; Col. 7, line 18 - Col. 8, line 29; Col. 9, line 59 – Col. 10, line 5; Figures 2a-c and 3).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the method of Belski et al: by incorporating the method for transmitting utility meter data, as disclosed by Partyka, in order to have a method of collecting utility meter data the message packet including a preferred polling sequence route along the preferred sequence route provided in the message packet by the host computer responsive to the polling, because Partyka discloses a method for utility meter reading, where a communication being along a predetermined sequence path responsive to a request by a requesting computer device provided in a data packet, the data packet including routing data to route the utility usage, and data along a specific route provided by the requesting computer device, wherein the communication/polling maybe initiated by the meter data collectors or remote host computer (Col. 5, line 26-31; Item 160), and the signal is routed based on the signal strength and reduced line-of-site between the meter data collectors (telemetry system 100) and the remote host computer and Belski et al. discloses the master station that control and management of the system (Col. 6, lines 36-45). Furthermore, it is well known and widely used to have a preferred routing sequence based on signal strength to reduce line of sight in the field of communication.

However, the combination of Belski et al. and Partyka does not expressly disclose the housing having glass facing on at least one side thereof, and transmit through the glass.

Winter discloses meter data collector with housing having glass (Item 22) facing on at least one side thereof, and transmit through the glass (Page 2, Par. 0037 and 0038; Figures 1-4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Belski et al. and Partyka by incorporating the meter data collector with housing having glass, as disclosed by Winter, in order to have a method for at least one of the plurality of meter data collector is positioned within the same housing as at least one of the plurality of utility meters, the housing having glass facing on at least one side thereof, the meter data collector positioned within the housing to transmit through the glass, because Belski et al. discloses the meter data collector that collects and to transmits the collected utility meter data maybe positioned within housing, adjacent to the housing or stand alone and Winter discloses meter data collector with housing having glass facing on at least one side thereof, and transmit through the glass. Furthermore, it is conventional in the art to have the data collector within the glass housing in order to transmit through the glass.

31 As to claim 36, Belski et al., discloses the utility meter comprises a first utility meter of a plurality of utility meters, wherein the first utility meter comprises one of a gas utility meter (Item G of figure 3 Residential), an electric utility meter

(Item E of figure 3 Residential), and a water meter (Item W of figure 3 Residential), wherein a second of the plurality of utility meters comprises a different one of a gas utility meter (Item G of figure 3 Commercial), an electric utility meter(Item E of figure 3 Commercial), and a water utility meter(Item W of figure 3 Commercial), and wherein the step of collecting includes collecting utility meter data from both the first and second utility meters by the remote collection unit (Col. 6, lines 36-45).

ALLOWABLE SUBJECT MATER

32 Applicant's amendments and argument with respected to the pending rejected claims 1-5 and 8-25, filed on September 04, 2007 are persuasive.

33 Independent claims **1, 11 and 21** and dependent claims **2-5, 8-10, 12-20** and **22-25** are allowable.

Conclusion

34 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sisay Yacob whose telephone number is (571) 272-8562. The examiner can normally be reached on Monday through Friday 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A. Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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